preserve

App. F. IX-4

*Previous References*

1939.
(Med.)

File No. 364-39
Serial Nos. 1-2-3

*Later References.*

Em 135-40-7, 8, 9
10, 11, 12, 13

# GENERAL AND REVENUE SECRETARIAT.

*Serial Nos.* 3

Part B for ~~Dec~~, '40.

**SUBJECT.**

Rules regarding Issue of Medical Certificates

2) G. 1537-89 — d/ 23.8.40

To, The Fr. Surgeon,
" Director of P. I.,
" Comptroller, this ~~&~~ F.D.
" Other Heads ~~of Depts~~.,

Adds two new — to the Medical Manual

WD 0573—GPB—22,500—12-9-89

23.12.40

Rules re granting of Medical Certificates

General and Revenue Secretariat | File No. Med. of 1939 | [App. F. III-2

Serial No.

for deciding whether the officer's services can be utilised in some other way without detriment to public interests and payment of pension charges avoided wherever possible. The Forms already prescribed are quite clear and do not seem to need any special elaboration further.

7) At the same time, I must say that the functions of the Medical Officers and of the administrative Departments must be clearly understood. The Medical Officer should confine himself (or herself) to a statement of facts relating to the nature and extent of the disease or disability of the applicant and how far they detract from his ability to attend to any particular kind of duty efficiently. For instance, in cases of partial incapacity, the Medical Certifica may indicate what kinds of work the applicant is stil fit for. It is, however, the responsibility of the administrative Department to decide whether in the light of the opinion expressed by the Medical Officer it would be possible to utilise the services of the person examined in any capacity without detriment to public interests.

OFFICE OF THE SECOND MEMBER OF COUNCIL
27 JUNE 1940
No. 12006

26.6.40

8) A Put this This may be acted

27/6

NOTE—Contn. Sheet.

Rules re grant of Indian certificates

4409

File No. Ind 364 of 1939.

General and Revenue Secretariat.

Serial No.

Subd with draft g.o for appl
Sd/-
17.7.40
by 7/7/40

for 18/7

Dl Secy

U.O.No. F...269...
18

11) The administrative Department may issue any subsidiary instructions or amend the rules of the Medical Code to remove any doubts.

12) So far as the M.S.R. is concerned, the present forms are clear and no particular change appears to be called for.

Sd/- 18/7/40
for
Ce
by
18/7

Subd. The draft g.o on the file may perhaps issue as Dl Secy has no objection
Sd/-
7/8/40
Draft is slightly modified approving of the proposal of the SS to amend the 'Medical Code' & the mention made in the addendum that the M.S.R. is also omitted

SECY. DEV. DEPT.
7. AUG. 1940
GOVT OF MYSORE

by 7/8/40

Dept Secy)
by 7/8

Ce
16/8

Draft Procedure.

by 16/8

15) by 16/8

TYPING SE...
16 AUG 1940
GEN. & REV. DEPT.

Pc. cen 526

Sd/-
16/8
Pay 16/8/40

Issued

Rules re grant of medical certificates

General and Revenue Secretariat

File No. Med 364 of 1939 1114

[App. F. III-4

Serial No.

it is open to a medical officer to give a qualified opinion whether it is a case for leave or retirement. The rules in the Madras Manual which have been adopted here seem to restrict and modify the existing rules in as much as (i) a certificate of leave or extension of leave cannot be given except on a requisition from the Head of the Dept and (ii) a public servant who is ill and the incapacity from which he suffers if partial cannot be reported upon in the certificate except as sick and unfit for duty. When a qualified opinion has to be given by the M.O. in a particular case, he will now have no discretion to report accordingly. A standing order will have perhaps the same effect as a change in the rules of the M.S.R. In the circumstances it is not clear whether the H opinion in para 21 should be again communicated by a further order to all heads of Depts.

Malick

29/10 29/10 231 The G.O. amending the Medical Code has been addressed to all the Heads of Depts. The A.S. wants the additions are introduced in the M.S.R & a standing order issued. The AL Key has stated in para 21 above that there is no need to amend M.S.R & that a standing order, if deemed necessary may be issued by Govt. As the G.O. has been addressed to all Heads of Depts, the necessity for a standing order

NOTE—Contn. Sheet.

Rules re: Grant of Medl. Certificates

8) File No. 1114 of 194 . | General and Revenue Secretariat

Serial No.

is not clear. Perhaps the S.S. may be asked that the question may be put up for Govt. after a year or so if considered necessary then

Devt Dept 6/11

24) It is not clear why the S.S. says these rules may not be followed by other departments. It is for the certifying surgeons to see that they are followed when they are approached for a certificate. The S.S. may be again consulted if necessary

C 4/11

25) Forwarded unofficially with compliments to the Senior Surgeon in Mysore for kindly furnishing his remarks with reference to para 24 Supra.

U.O. No 114 of 40-41 dated 15.11.40

Yours sincerely
C. S. Srinivasa Iyer
for Secretary to Government
Development Department
Skt 14/11

C2610-25
21.11.40

Retransmitted with compliments.

26) In asking for an addition to the provision of the Mysore Service Regulations and for issue of standing orders the aims were

1. To make all Government servants understand that any medical certificate for leave or extension of leave is likely to be disregarded if it were not the outcome of a proper requisition and

2. To make all Heads of Offices realise that a requisition should be sent for a medical certifi-

DEVT. DEPT. 2 NOV 1940 GOVT. OF MYSORE

S-M4409

# MYSORE MEDICAL DEPARTMENT

OFFICE OF THE SENIOR SURGEON IN MYSORE,

Tele { gram: Senorgen. phone: No. 2462.

*Bangalore, dated* 11th April *194* 0.

NO. C2610-10
Encl. Two

GEN. & REV. SECTT.

FROM

*Rajaseviasakta*

**B. K. NARAYANA RAO, Esq.**, B.A., M.B.C.M., M.R.C.S. (Eng.), D.P.H., D.O. (Oxon.),

*Senior Surgeon with the Government of H. H. the Maharaja of Mysore.*

DEVY. DEV. DEPT. 13 APR. 1940 To

Med. 364-39-1

The Secretary to the Government of
His Highness the Maharaja of Mysore,
Development Department, Bangalore.

Sir,

I have the honour to state that on receipt of a requisition fr the Director of Public Instruction for the examination of Sri K. Ranganayakamma, M.A.,B.T., Assistant Mistress, by a Medical Board, I appointed a medical board at Mysore consisting of the marginally noted officers for the purpose. The board who examined the lady on 12th March 1940 furnished their opinion. Drs.K.S.Captain and K.A.Appaiah suggest that Sri Ranganayakamma be posted to a Maidan area and be given duties which do not involve much walking or standing. Dr.Robinson however, was not in favour of this, and he opined that "one who cannot serve everywhere is not fit for duty", and doubted whether it would be possible to give the lady duties which will not involve much walking or standing.

| |
|---|
| President |
| Dr.J.F.Robinson, |
| Members |
| Dr.Miss K.S.Captain, |
| " Miss K.A.Appaiah. |

Copies of letters received from the Director of Public Instruction on receipt of the opinion of the Board and my reply thereto which are self explanatory are herein enclosed. As will be seen from the Director's letter, the question arises whether the medical officers are not to be instructed against making recommendatory suggestions or giving qualified medical opinions, which may cause unnecessary inconveniences to administrative officers. The present rules which govern the grant of medical certificates (Articles 396 to 405 of Mysore Service Regulations and rules 158 to 173 of the Mysore Medical Code) do not make any specific menti

of prohibiting the medical officers from issuing such recommendatory certificates or from furnishing qualified opinions. Instances are not wanting where such certificates have been issued by some of our medical officers which place the administrative officers in rather an inconvenient position.

I find that in the Madras Medical Code, specific rules have been laid down on the subject. Paras 327 and 328 of the Madras Medical Code (Vol.I, page 164) read thus:-

Para 327. Certifying Surgeons should not grant or countersign any medical certificate recommending leave or extension of leave to a Government servant without an official requisition from the Head of the Department or office to which the Government servant belongs.

Para 328. If a public servant is ill he must be reported sick. If it be considered that the station in which he is serving is inimical to his constitution and that he is likely to have better health elsewhere, he is still to be reported sick and unfit for duty, and dealt with accordingly. Medical Officers are prohibited from recommending a change of station to a public servant because the one in which he is serving or to which he is directed to proceed is not suited to his constitution.

The introduction of similar rules in Mysore will have a salutory effect and will be conducive to better administrative control. I accordingly recommend that Government may be pleased to sanction the addition of two more sections similar to those obtaining in Madras (Paras 327 and 328) to the existing rules relating to medical certificates.

I have the honour to be,
Sir,
Your most obedient servant,

B Krishnayana Rao 11/4

Senior Surgeon.

(3

C2610-9

"Copy".

11th April 0

Mr.McAlpine,

With reference to your D.O.letter No.A.1.30-39-255/39-40 dated 6th April 1940, I agree with you that medical certificates containing recommendations regarding where an officer might serve are often misleading, and administratively inconvenient. There is no record in my office of instructions being issued against such conditional or qualified certification which seems to be resorted to by some of the medical officers. I understand that such recommendations have been made for a long time and so the practice seems to have attained the status of being in order. So, I am proposing to address Government before issuing a circular in the matter. I remember to have seen some rules in this regard either in Madras Government or Government of India but could not get the information yet.

As present there are no departmental instructions either permitting such qualified certificates or prohibiting them.

Yours sincerely,

B.Krishnamurthi Rao
11/4

E.G.McAlpine Esqr., M.A., Dip.Edn(Edin), V.D., J.P.,
Director of Public Instruction in Mysore,
Bangalore

(4

Copy of letter No. A.1.3049-255/39-40 dated the 6th April 1940, from the Director of Public Instruction in Mysore, Bangalore, to the Senior Surgeon in Mysore, Bangalore.

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With reference to your letter No. C.2610-6 dated 21st March 1940 forwarding a copy of the report of the Medical Board which examined Sri K. Ranganayakamma, I notice that the two lady members of the Board proposed that the teacher should be posted to a maidan area, and should be given duties that will not involve much walking or standing. I remember you mentioned to me that medical certificates of this kind should not be issued, and I am writing to ask whether any action has been taken by you to prevent this sort of thing happening. In this particular case, for example, even although I asked for a Medical Board for this teacher, she would still have got a recommendation that she should be posted to a maidan place, had it not been for the fact that Dr. Robinson was President of the Board, and declined to agree to such a suggestion. I feel sure that certificates of this kind in the past must certainly have been issued frequently, and would no doubt have been acted upon by the officers of the several departments, perhaps on the assumption that such medical opinion must be given effect to. I shall be glad if you will let me know whether it has been possible for you to take any action to stop recommendations of this kind. If there are any such instructions in your department, I should like to have a copy, as I propose to issue instructions to my own subordinate officers who have to grant leave, in order that they may be familiar with the proper procedure. A great many of medical certificates are given by recognised medical practitioners who are not employees of the Medical Department in the State, and who will probably continue to give such certificates. If, however, the medical Department has issued instructions that they are not to be given, then I can instruct my officers not to accept certificates of that type from other Medical Practitioners.

---

'Copy.'

B.Narayana Rao
11/4

Senior Surgeon1

G. R. S. App. F VI—G 2]

SUBJECT .....

.....

.....

Diary No. of letter replied to.....

General and Revenue Secretariat

( )

the 193 .

Date of issue 23/8/40 193 .

Signed by Mr. C. S. S. C

May this be—

(i) printed?

(ii) treated as a standing order?

(iii) published in the Gazette, English Part?

(iv) translated?

(v) placed at the disposal of the press

(vi) published in the Gazette, Kannada Part?

Section Med

File No. 364-39

Serial No. 2

*Proceedings of the Government of His Highness the Maharaja of Mysore.*

*Read*—

~~Correspondence~~ Letter No. C 26107 d 11.4.40 from the Senior Surgeon recommending sanction of Govt to add two new sections to the existing rules relating to medical certificates on the lines of Paras 327 and 328 of the Madras Medical Code (Vol I page 164).

~~Order thereon. No.~~

Order No. G 1537-89

The S. S. states that a medical board was constituted by him for the examination of Sri K. Rengaraya Aruma Sh. A. B. T.

Asst Mistress, on receipt of a
requisition from the Dir of P.T.
The board examined the lady on 12.3.40
The two lady medical officers, who
were members of the Board,
~~examined~~ suggested that the services of the
lady ~~was not suited~~ to a maiden area
but she might
and be given duties which ~~would~~ did not
involve much walking or standing
The President of the board, however, did not agree with them, but
~~was not in favour of this and~~ replied that "
one who cannot serve everywhere
is not fit for duty" and doubted
whether it would be possible to
give her duties which would not
involve much walking or standing. # Mr SS Sti
The Dir of P.T. has raised the question
whether the medical officers
are not to be instructed to record
making such suggestions or giving
qualified opinions, which cause
embarrassment to administrative
officers. On the contents of letter

List of Enclosures

Copied by

Examined by

PROCEEDINGS OF THE GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

Read:—

Letter No.C.2610-10 dated 11th April 1940, from the Senior Surgeon, recommending sanction of Government to add two new Sections to the existing rules relating to medical certificates on the lines of Paras 327 and 328 of the Madras Medical Code (Vol.I page 164)

ORDER NO. Fy 1537-89/med 364-39-2

Dated, Bangalore, the 23rd August 1940.

The Senior Surgeon states that a medical board was constituted by him for the examination of Sri K. Ranganayakamma M.A., B.T., Assistant Mistress, on receipt of a requisition from the Director of Public Instruction. The Board examined the lady on 12th March 1940. The two lady Medical Officers, who were members of the Board, suggested the posting of the lady to a maidan area and that she might be given duties which did not involve much walking or standing. The President of the board, however, did not agree with them, but opined that "one who cannot serve everywhere is not fit for duty" and doubted whether it would be possible to give her duties which would not involve much walking or standing.~~on standing~~.

The Senior Surgeon states that the Director of Public Instruction has raised the question whether the medical Officers are not to be instructed against making such suggestions or giving qualified opinions, which cause embarrassment to administrative Officers. In the interests of better administrative control, therefore the Senior Surgeon proposes the laying down of specific rules in the matter as in the Madras Presidency.

Government approve of the proposal of the Senior Surgeon to amend the medical Code and direct that the two following Sections be added to the rules relating to the issue of medical certificates.-

> Certifying Surgeons should not grant or countersign any medical certificate recommending leave or extension of leave to a Government servant without an official requisition from the Head of the Department or office to which the Government servant belongs.
>
> If a public servant is ill he must be reported sick. If it be considered that the station in which he is serving is inimical to his constitution and that he is likely to have better health elsewhere, he is still to be reported sick and unfit for duty and dealt with accordingly. Medical Officers are prohibited from recommending a change of station to a public servant because the one in which he is serving or to which he

he is directed to proceed is not suited to his constitution.

C. V. Srinivasa Char

For Secretary to Government,
Development Department.

The Senior Surgeon in Mysore.
" Director of Public Instruction in Mysore.
" Comptroller to Government, through Financial Sectt.
" Other Heads of Departments.

K.I.R.12.

# S. O.

## GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

GENERAL AND REVENUE DEPARTMENTS.

**G. O. No. G. 1537-89—Med. 364-39-2, dated 23rd August 1940.**

**Rules Regarding Issue of Medical Certificates.**

Approves of the proposal of the Senior Surgeon to add two new —— to the Manual of the Medical Department.

---

READ—

Letter No. C. 2610-10, dated 11th April 1940, from the Senior Surgeon, recommending sanction of Government to add two new sections to the existing rules relating to medical certificates on the lines of Paras 327 and 328 of the Madras Medical Code, Vol. I, page 164.

ORDER No. G. 1537-89—MED. 364-39-2, DATED BANGALORE, THE 23RD AUGUST 1940.

The Senior Surgeon states that a Medical Board was constituted by him for the examination of Sri K. Ranganayakamma, M.A., B.T., Assistant Mistress, on receipt of a requisition from the Director of Public Instruction. The Board examined the lady on 12th March 1940. The two lady Medical Officers who were members of the Board suggested the posting of the lady to a maidan area and that she might be given duties which did not involve much walking or standing. The President of the Board, however, did not agree with them, but opined that "one who cannot serve everywhere is not fit for duty" and doubted whether it would be possible to give her duties which would not involve much walking or standing.

2. The Senior Surgeon states that the Director of Public Instruction has raised the question whether the Medical Officers are not to be instructed against making such suggestions or giving qualified opinions, which cause embarrassment to administrative officers. In the interests of better administrative control, therefore, the Senior Surgeon proposes the laying down of specific rules in the matter as in the Madras Presidency.

3. Government approve of the proposal of the Senior Surgeon to amend the Medical Code and direct that the two following sections be added to the rules elating to the issue of medical certificates :—

> Certifying Surgeons should not grant or countersign any medical certificate recommending leave or extension of leave to a Government servant without an official requisition from the head of the department or office to which the Government servant belongs.
>
> If a public servant is ill, he must be reported sick. If it be considered that the station in which he is serving is inimical to his constitution and that he is likely to have better health elsewhere, he is still to be reported sick and unfit for duty and dealt with accordingly. Medical Officers are prohibited from recommending a change of station to a public servant because the one in which he is serving or to which he is directed to proceed is not suited to his constitution.

C. E. NORONHA,
*Secretary to Government,*
*Development Department.*

To—The Senior Surgeon in Mysore.
The Director of Public Instruction in Mysore.
The Comptroller to Government through the Financial Secretariat.
The Other Heads of Departments.

Ixd.—S. R.

WD 283—GPB—640—24-9-40

# S. O.

## Government of His Highness the Maharaja of Mysore.

GENERAL AND REVENUE DEPARTMENTS.

**G. O. No. G. 1537-89—Med. 364-39-2, dated 23rd August 1940.**

---

**Rules Regarding Issue of Medical Certificates.**

Approves of the proposal of the Senior Surgeon to add two new —— to the Manual of the Medical Department.

---

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2. The Senior Surgeon states that the Director of Public Instruction has raised the question whether the Medical Officers are not to be instructed against making such suggestions or giving qualified opinions, which cause embarrassment to administrative officers. In the interests of better administrative control, therefore, the Senior Surgeon proposes the laying down of specific rules in the matter as in the Madras Presidency.

3. Government approve of the proposal of the Senior Surgeon to amend the Medical Code and direct that the two following sections be added to the rules relating to the issue of medical certificates :—

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>
> If a public servant is ill, he must be reported sick. If it be considered that the station in which he is serving is inimical to his constitution and that he is likely to have better health elsewhere, he is still to be reported sick and unfit for duty and dealt with accordingly. Medical Officers are prohibited from recommending a change of station to a public servant because the one in which he is serving or to which he is directed to proceed is not suited to his constitution.

C. E. NORONHA,
*Secretary to Government,*
*Development Department.*

To—The Senior Surgeon in Mysore.
The Director of Public Instruction in Mysore.
The Comptroller to Government through the Financial Secretariat.
The Other Heads of Departments.

Exd.—S. R.

WD 283—GPB—640—24-9-40.

GM 1114

# MYSORE MEDICAL DEPARTMENT.

(11

Tele { gram: Senorgen. / phone: No. 2462.

OFFICE OF THE SENIOR SURGEON IN MYSORE,

*Bangalore, dated* 10th September 1940.

No. C2610-14 10.9.40.

Encl.

Med. 364-39-3

GEOY. DEV. DEPT. 12. SEP. 1940 GOVT OF MYSORE

FROM

*Rajasevasakta*

**B. K. NARAYANA RAO, Esq.**, B.A., M.B.C.M., M.R.C.S. (Eng.),
L.R.C.P., D.P.H., D.O. (Oxon.),
*Senior Surgeon with the Government of H. H. the Maharaja of Mysore.*

To

The Secretary to the Government of
His Highness the Maharaja of Mysore,
Development Department, Bangalore.

Sir,

Adverting to the Government Order No. G.1537-89/Med. 364-39-2 dated 23-8-1940 regarding certain ammendments to the Medical Code, I have the honour to state that the two additional sections ordered to be introduced in the Medical Code have also to be introduced in the Mysore Service Regulations as otherwise these rules may not be followed by other departments and standing orders of Government on the subject may also be caused to be issued.

I have the honour to be,
Sir,
Your most obedient servant,

B. Narayana Rao 8/9

Senior Surgeon.

SV.